

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

**CHEYENNE KENNEMORE,)
Plaintiff,)
vs.) **Case No. 6:22-cv-03291-MDH**
CIRCLE OF HOPE GIRLS RANCH)
AND BOARDING SCHOOLS,)
et. al.,)
Defendants.)**

ORDER

Before the Court is Defendant Circle of Hope Girls Ranch and Boarding School's ("Defendant's") Motion to Dismiss. Defendant seeks from this Court an order dismissing Plaintiff's prayer for punitive damages contained within the Complaint. Plaintiff seeks, *inter alia*, punitive damages based on allegations of abuse Plaintiff suffered while a student at Circle of Hope Boarding School. Plaintiff brings her claim under both Missouri and federal law. In support of Defendant's Motion, Defendant cites RSMO 510.261.5, which provides that "no initial pleading in a civil action shall contain a claim for a punitive damages award." As Plaintiff points out, however, federal courts are not bound by Missouri state-level pleading rules. *See Rardon v. Falcon Safety Prod., Inc.*, 2021 WL 2008923, at *13 (W.D. Mo. May 4, 2021) ("state pleading rules do not apply in federal court, and federal pleading rules do not prohibit a plaintiff from seeking punitive damages in his Complaint"). Accordingly, Defendant's Motion is **DENIED**.

IT IS SO ORDERED.

Dated: October 3, 2023

/s/ Douglas Harpool
DOUGLAS HARPOOL
United States District Judge